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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/904,860	08/01/1997	HIROKAZU OHI	1232-4367	4593

7590 09/22/2004

CHRISTOPHER E CHALSEN  
MORGAN AND FINNEGAN  
345 PARK AVENUE  
NEW YORK, NY 10154

EXAMINER
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DINH, DUNG C

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

08/904,860

**Applicant(s)**

OHI ET AL.

**Examiner**

Dung Dinh

**Art Unit**

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 and 41-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 and 41-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

Applicant's arguments filed 6/7/2004 have been fully considered but they are not persuasive.

Regarding the argument concerning the storage location of the control information, the claims as currently present do not limit where the control information is stored. Applicant asserts that the claims require the control information is stored remotely from the designated site. The examiner disagree with this assertion and provided further response to the effect that even if the claims are amended to clearly recite storing the control information remotely from the designated site, this limitation would read on the well known technique of bookmarking a web resource URL via a browser bookmark entry or the Windows URL shortcut. Since the examiner maintained that the limitation argued is not in the claims, the claims remained rejected under 102 and has not yet been rejected under 103 rationale in combination with the bookmark feature.

The following is a repeat of the rejection in the prior office action.

***Claim Rejections - 35 USC § 102***

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --*

*(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

**Claim 1, 3-10, 49, and 11, 13-20, 52 are rejected under 35 U.S.C. 102(b) as being anticipated by Sergeant et al. US patent 5,517,236.**

As per claim 1 and 11, Sergeant teaches a communication method comprising:

storing a network address [address code] of an object site [surveillance unit] into memory [see col.5 lines 52-58 and col.6 lines 21-25];

storing control information for a respective image input means [camera] of said object site in relation of said network address [col.5 lines 52-58, col.8 lines 1-12];

reading the address and control information stored and accessing said designated site [surveillance unit] using the address and control information [col. 6 lines 5-20, col.7 lines 55-60], wherein the control information include an identifier [command word] for identifying an item to be controlled by the image input means [col. 4 lines 55-65, col.6 lines 18-20 and table 1].

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As per claims 3 and 13, Sergeant teaches displaying received image information from said site [col.3 lines 65 to col. 4 line 9].

As per claims 4 and 14, Sergeant teaches generating control information according to manual designation [col.6 lines 30-52].

As per claims 5-9 and 15-19, Sergeant teaches the surveillance unit is a video camera. Sergeant teaches angle sensor [col.7 lines 45-50], controlling the camera focal distance [col.8 line 52] and shutter speed [col.11 line 2].

As per claims 10 and 20, Sergeant teaches computer program readably stored [col.6 lines 19-20].

As per claims 49 and 52, Sergeant teaches the control is stored separately from the address [col.6 lines 5 to 25].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

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Claims 2, 12, 21-22, 47-52 are rejected under 35

U.S.C. 103(a) as being unpatentable over Sergeant and further in view of WebCam+ and RFC 1866 "Hypertext Markup Language - 2.0" and RFC 1738 "Uniform Resource Locators (URL)."

As per claims 2, 12 and 47-52, Sergeant does not teach controlling the camera over the Internet.

WebCam+ is a Web based remote control camera system. The system has a web browser form for entering commands for controlling the camera's position and zoom remotely over the Internet and deliver captured image via a web page [see page 2 "WebCam + Is Born ..."]. The system improved the prior art by enabling control of camera remotely via the Internet using a browser at a client computer.

Hence, it would have been obvious for one of ordinary skill in the art at the time of the invention to apply Web technology as show by the WebCam+ teaching to the system of Sergeant because it would have enabled accessing and controlling the system over the Internet.

The WebCam+ article does not disclose the specific of storing the address and control command into a memory storage.

It is known in the art that Web request is URL encoded with the network address, path, resource name and optional parameters' [see RFC 1866 pp. 46-47 and RFC 1738 pp.2, 9-10]. It is known to

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encoded parameters within the path or resource name of the URL [see RFC 1378 pp.9-10 sections 3.3, and 3.4.1].

It is known that the encoded URL can be sent via clicking on the form's "submit" button or directly type in via the browser address box. It is also known that an URL can be saved in storage as a 'shortcut' on the desktop or as a browser's bookmark entry for quick access at a later time by the user.

It is apparent, in Sergeant system as modified, that the address of the camera site is a URL on the Internet. Sergeant teaches PRESET for storing control information for quick control of the camera at later time. Hence, it would have been obvious for one of ordinary skill in the art to save the camera control in a URL (with the network address and control values) in memory storage (for example via a shortcut or bookmark entry) because it would have enabled quick control of the camera to the desired position.

The steps of reading, accessing and transmission are apparent in the process of retrieving and submitting the bookmarked URL to the camera server.

As per claims 21-22, they are rejected under similar obvious rationale claim 2 as above. The recited limitations are inherent



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in the process of storing and retrieving the command URL in the browser's bookmark or shortcut.

Claims 23-34, 41-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blackshear US patent 5,111,288 and further in view of WebCam+, and Niwa US patent 5,544,046.

As per claims 23, and 30-34, Blackshear teaches a camera control system comprising:

reception means for receiving request of sensing condition of the camera; and processing means for performing control processing of the camera based on the request [col.6 lines 6-22, col.9 lines 12-20];

transfer means for transferring image information obtained by the processing means with status of the camera [col.9 lines 12-20: "azimuth and elevation coordinates in degree"].

Blackshear does not teaches the system being a server controlling a camera according to request from remote a client over a general network.

WebCam+ is a Web based remote control camera. The system has an web browser form for entering controlling command for controlling the camera's position and zoom remotely over the Internet and deliver capture image via a web page [see page 2 "WebCam + Is Born ..."]. The system improved the prior art by

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enabling remote control the camera via the Internet using a browser at a client computer.

Hence, it would have been obvious for one of ordinary skill in the art at the time of the invention to apply Web technology as shown by the WebCam+ teaching to the system of BlackShear because it would have enabled accessing and controlling the system over the Internet.

BlackShear does not specially disclose returning information indicating service allowable range of the camera.

Niwa teaches to store service allowable range of a device (tolerance limits) so as to let the system ensure that the user input of control parameters are within appropriate range and warn the user of any error [see fig.49, col.26 lines 18-26]. Given the teaching of Niwa, it would have been obvious for one of ordinary skill in the art to transmit service allowable range of the camera to the client because it would have improved the system by enabling the user to know the appropriate parameters for commanding the camera and enable the client to check for errors prior to submitting the command.

As per claim 24, the reference does not disclose control right. It would have been obvious to have control right in the system as modified so as to provide access security and to regulate requests from multiple users.

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As per claim 25, Blackshear disclose showing the sensing direction of the camera [col.9 lines 12-20: "azimuth and elevation coordinates in degree"]. Hence, it is apparent that the system as modified would show service allowable range for the sensing direction of the camera.

As per claim 26-29, since the Blackshear system is modified by WebCam+ to operate over the Internet. Is apparent that the processing would be done via HTTP message. It is well known in the art HTTP message passes request parameters in the header [GET] or the body of the message [POST]. See RFC 1866 pp.46-47 section 8.2.2 and 8.2.3.

As per claims 41-46, Blackshear teaches user controllable tilt, pan, zoom and focus. Hence, it is apparent that the request would have identifiers to identify items for controlling the camera [tilt and pan X-Y movement, zoom, focus, etc.]

### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action

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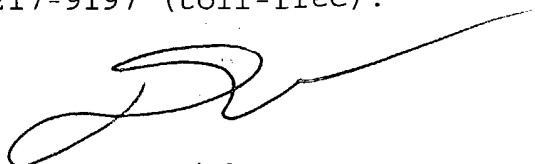
is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (703) 305-4792.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dung Dinh  
Primary Examiner  
September 20, 2004